

**TWO FRANK  
JURORS  
FIRM IN  
DENYING  
OUTSIDE  
PRESSURE**

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M. Joehenning and A. H.  
Henslee Hold Long  
Confer-

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ence With Solicitor  
General

Hugh Dorsey

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AFFIDAVITS ARE  
HOTLY

BRANDED AS  
FALSE

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Told Truth When They  
Swore

as Talesmen They  
Were Not

# Biased, They Declare —Dor- sey Frames Reply

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M. Joehenning and A. H. Henslee, the two Frank trial jurors, who were attacked in the defense's motion for a new trial, it being alleged that they entered upon their duties as jurors with a preconceived bias against the defendant, were interviewed at some length Saturday afternoon by Solicitor Dorsey.

The solicitor is understood to have discussed with them the various affidavits from individuals who swore to certain alleged conversations in which these two jurors are declared to have expressed the positive opinion that Leo M. Frank was guilty of the murder of Mary Phagan prior to the time they were selected as talesmen.

Answers of these jurors to the allegations contained against them in the affidavits obtained by attorneys for Frank will it is said be sworn to by the jurors and will probably form a part of the answer which the solicitor will make to the motion for a new trial.

## BRAND AFFIDAVITS FALSE.

Both Joehenning and Henslee brand the affidavits as false and both declare that they went into the jury box with minds free from prejudice. "My verdict in the case," says Joehenning, was arrived at solely from the evidence adduced at the trial and the things I had read in the newspapers or heard in conversations previous to taking the Juror's oath did not enter into it."

Henslee says, that "the statement of anybody to the effect that I remarked before the trial that Frank was guilty as a lie out of the whole cloth. When I was sworn as a juror, I answered the

questions put to me as I did because I was unwilling to lie, and I believe that any sane man will realize that I would certainly have disqualified myself if I could have truthfully done so."

### EIGHT AFFIDAVITS MADE.

Eight persons have made affidavits to alleged conversations by Henslee in which he is claimed to have expressed, prior to the trial, a positive opinion of Frank's guilt. They are: Shi Gray, T. M. Johnson and John M. Holmes, of Sparta; R. L. Gremer and Mack Farkas, of Albany; Julian A. Lehman. C. P. Stough and Samuel Aron, of Atlanta.

Holmes swears that the remarks which he heard Henslee make occurred on June 27, and that Henslee stated at the time that he had been summoned as a juror.

Gremer says he heard Henslee say, "I know Frank is guilty."

Farkas swears he heard him remark: "I believe he is guilty."

Lehman asserts that Henslee said: "Frank is as guilty as a damned dog and ought to have --neck broken."

Aron declares he overheard a man whom he afterwards learned was Henslee say: "I am glad that they indicted that - - Jew. The people ought to lynch him."

Stough's affidavit is to the effect that Henslee remarked to him that "Frank is guilty and I would like to be in a position to break his neck."

Only three persons make affidavits against Joehenning and they are all members of one family--H. C. Loevenhart, his wife, Mrs. Jennie G. Lovenhart, and their daughter, Miss Mariam Loevenhart. Loevenhart says Joehenning expressed a profound conviction of Frank's guilt, and Miss Loevenhart states that she heard Joehenning declare, "I know he is guilty."

Copies of all these and other affidavits taken by the attorneys for the defense in support of their motion for a new trial were furnished to Solicitor

Dorsey Saturday morning when the motion came up for a hearing before Judge

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(Continued From Page 1.)

L. S. Roan. After the hearing had been postponed until next Saturday morning at 9:30 o'clock in order to afford Solicitor Dorsey ample opportunity to study the grounds set out in the motion and make answer thereto, and it had been agreed that if the solicitor needed additional time another postponement would be taken, Attorneys Rosser and Arnold, representing Frank, announced that they might obtain further evidence and affidavits before the hearing, in which event they would immediately supply copies to the solicitor.

"TALKED WITH HIM."

Some of the other affidavits attached to the motion for a new trial were: One from W. P. Neil, who swore that he was in the court room sitting near the jury box and that as the jury passed out one day he saw an outsider take one of the jurors by the arm and talk with him.

B. M. Kay and his brother, Sampson Kay, declare that they saw six or seven men talking with the jurors one day while they were being taken for walk.

Mrs. Martha Kay and Mrs. A. Shurman make affidavit to the effect that they were in attendance upon the trial and that they heard cheers in the court room.

Samuel Boorstin, an attorney; W. R. Cate, J. H. G. Cochran, H. G. Williams, E. G. Purseley, Marano Bonbenisky, Isaac Hazan, John H. Shipp, B. S. Lipshitz, Charles J. Moore and D. Rozinsky swear that they witnessed demonstrations when crowds in the street cheered Solicitor Dorsey as he entered and emerged from the court house. They assert that the jury undoubtedly overheard some of these demonstrations. Several of these affiants swear that they observed persons in the crowds about the court house who were making open threats against Frank.

### "NEVER HEARD CHEERS."

Juror Joehenning Saturday afternoon stated to The Journal that there was not a word of truth in the charge that outsiders had talked with the jurymen. He also declared he had never heard any cheers until after the verdict was announced, and said that inasmuch as he was accustomed to walk in the rear ranks of the jury, he would have been as likely to have heard cheering as any other juror.

Mr. Joehenning said the jurymen might have noted some slight demonstrations in the courtroom but that if so they were of such a slight and un- impressive nature as not to have exerted the least influence on the verdict.

Solicitor Dorsey has announced that he will do all within his power to get ready for the hearing next Saturday morning, but that he did not believe that he could do so. He also stated that in the meantime he would devote his entire attention to reading the motion for a new trial and in preparing his answer. The solicitor will deny himself to all callers and will suffer no interruptions.

Judge Roan issued an order Saturday indefinitely suspending the execution of Frank's sentence. Under the sentence Frank was to have been hanged next Friday, October 10. He will not be resentenced unless he fails to obtain a new trial, after having had his case reviewed by both Judge Roan and the state supreme court.

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